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**Selendy
& Gay**

January 23, 2020

Via ECF

Honorable Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street, Room 1910
New York, New York 10007

Re: *Hyland, et al. v. Navient Corp., et al.*, No. 1:18-cv-09031

Dear Judge Cote:

Pursuant to the parties' discussion with Chambers yesterday afternoon and for the reasons stated, and pursuant to Your Honor's Individual Practice Rule 1.E, Plaintiffs in this matter write to inform the Court that the parties have signed a memorandum of understanding (MOU) memorializing the material terms of a settlement to resolve this action in its entirety. All parties respectfully request that the Court remove the January 27, 2020 deadline to serve Plaintiffs' motion for class certification from the calendar and enter an order allowing Plaintiffs to submit a motion for preliminary approval of the settlement within 60 days.

The parties have not previously requested a deadline for submission of the motion for preliminary approval. Pursuant to Your Honor's order of January 21, 2020, Plaintiffs' deadline to serve their motion for class certification is currently January 27, 2020. Dkt. 91. Three prior requests for an extension or adjournment of the deadline for Plaintiffs' motion for class certification were requested by Plaintiffs (Dkt. Nos. 85, 88, 90) and approved by the Court (Dkt. Nos. 86, 89, 91); the last order stated there shall be no further extensions to the deadline for Plaintiffs' motion for class certification.

Though the parties have a signed MOU reflecting the material terms of a settlement, additional time is needed to finalize a comprehensive formal settlement stipulation and to prepare a motion for preliminary approval of the

Hon. Denise L. Cote
January 23, 2020

settlement. This process will require, among other things, the retention of a settlement administrator, efforts to determine the best way to identify the borrower class members who should receive notice, and working with the settlement administrator to formulate a notice plan. Plaintiffs must also prepare a memorandum of law and other materials in support of a motion for preliminary approval. Given the complexity of these undertakings and the need for client approval on both sides of the case on various settlement implementation details, the parties would be grateful for 60 days to complete this work.

Should the Court have any questions regarding the proposed schedule, the parties would be happy to address them in a telephone conference.

Respectfully submitted,

/s/ Lena Konanova

Lena Konanova

Cc: Defendants' counsel (by ECF)